

JOSEPH P. RUSSONIELLO, CSBN 44332  
 United States Attorney  
 LUCILLE GONZALES MEIS, SBN CO 15153  
 Regional Chief Counsel, Region IX,  
 Social Security Administration  
 GINA SHIN  
 Special Assistant United States Attorney

333 Market Street, Suite 1500  
 San Francisco, California 94105  
 Telephone: (415) 977-8926  
 Facsimile: (415) 744-0134

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

CRAIG S. KAWASAKI,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
 Commissioner of Social Security,

Defendant.

CIVIL NO. 07-04930-PVT

STIPULATION AND ORDER OF REMAND

IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the approval of the Court, that this action be remanded to the Defendant, Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. The purpose of the remand is to offer Plaintiff a new decision.

Upon remand, the Office of Disability Adjudication and Review will remand this case to an Administrative Law Judge (ALJ) and direct him or her to reconsider Plaintiff's credibility and the opinion evidence, including, but not limited to, that of Dr. Devine, including Dr. Devine's opinion evidence, dated August 3, 2005. In so doing, the ALJ shall apply relevant Agency regulations and Social Security Rulings. The Appeals Council further agrees to preserve the favorable portion of the ALJ's decision, dated July 26, 2005.

1 Dated: April 15, 2008

/s/ Harvey P. Sackett  
(As authorized on April 15, 2008)  
HARVEY P. SACKETT  
Attorney for Plaintiff


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4 JOSEPH P. RUSSONIELLO  
United States Attorney

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6 Dated: April 15, 2008

By: /s/ Gina Shin  
(As signed on April 15, 2008)  
Special Assistant United States Attorney

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9 PURSUANT TO STIPULATION, IT IS SO ORDERED that this action is reversed and remanded to the  
10 Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g) for further  
11 proceedings.  
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15 Dated: 4/23/08

  
PATRICIA V. TRUMBALL  
United States Magistrate Judge  
Northern District of California